

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

ROMERO R. GARNER, SR.,	)	CASE NO. 1:16 CV 182
	)	
Plaintiff,	)	JUDGE DONALD C. NUGENT
	)	
v.	)	MAGISTRATE JUDGE
	)	WILLIAM H. BAUGHMAN, JR.
SWAGELOK COMPANY,	)	
	)	
Defendant.	)	<b><u>CASE MANAGEMENT PLAN AND</u></b>
		<b><u>ORDER</u></b>

A case management conference was held in this matter on **November 1, 2016**. The parties and counsel of record agreed to the following, and **IT IS ORDERED** that:

1. This case is assigned to the **standard** case management track.
2. This case **is not** suitable at this time for reference to an Alternative Dispute Resolution (ADR) program or mediation.
3. The parties **consent** to the jurisdiction of a United States Magistrate Judge pursuant to 28 U.S.C. § 636(c).
4. **Non-Expert Discovery** must be completed on or before **February 1, 2017**.
5. The plaintiff must deliver to the defendant on or before **March 15, 2017**, the report of any person whom it may use at trial to present evidence under Federal Rules of Evidence 702, 703, or 705. The defendant must deliver to the plaintiff on or before **April 26, 2017**, the report of any person whom it may use at trial to present evidence under the above-identified rules. Any report delivered by a party under this paragraph must include,

or be accompanied by, the disclosures required by Federal Rule of Civil Procedure 26(a)(2).

**Expert Discovery** must be completed on or before **June 1, 2017.**

6. Counsel must comply with Local Civil Rule 16.1(b)(6), which requires that all discovery be completed, and not merely propounded or noticed, by the discovery cut-off date. As that rule states “discovery requests that seek responses or schedule depositions after the discovery cut-off are not enforceable except by order of the Court for good cause shown.” Any motion for completion of discovery after the discovery cut-off date, filed after that date, will be granted only upon a showing of excusable neglect. Fed. R. Civ. P. 6(b)(2).

7. The Court expects that counsel will meet and confer, in person or by telephone, to resolve any discovery disputes as required by Local Civil Rule 37.1. If a dispute arises that counsel cannot resolve by meeting and conferring, then counsel must contact the Court by telephone to seek further guidance and instructions consistent with Local Civil Rule 37.1(a). The Court admonishes counsel that it will strictly enforce Local Civil Rule 37.1(b), which provides “[n]o discovery dispute shall be brought to the attention of the Court, and no motion to compel may be filed, more than ten (10) days after the discovery cut-off date.”

8. The **pleadings must be amended** and new parties must be joined on or before **November 30, 2016.**

9. **Motions for summary judgment** must be filed on or before **April 3, 2017.** Motions for summary judgment prior to the completion of discovery relevant to the issues raised are discouraged.

10. Any brief in opposition to a motion for summary judgment must be filed on or before **May 3, 2017**. Any reply brief must be filed on or before **May 17, 2017**.

11. A **telephonic status conference** is set for **January 17, 2017 at 11:00 a.m.** The Court will issue a separate order setting out the requirements and procedures for the conference.

**IT IS SO ORDERED.**

Dated: November 4, 2016

s/ William H. Baughman, Jr.

United States Magistrate Judge